IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

FAMILY COURT APPEAL NO.54 OF 2006

Sou.Mayuri Chandrashekhar Daithankar appellant
vs.
Shri Chandrashekhar Subhash Daithankar Respondent

Mrs.Neeta Karnik for the appellant.

Mrs.G.P.Mulekar for the respondent.

CORAM : R. M. LODHA &
A.S.BAGGA, JJ.

DATED : 19th June, 2006

P.C.

Heard.

2. By consent of the counsel for the parties, we dispose of this Family Court Appeal by the following order:

(i) The decree of divorce and dissolution of marriage granted by the Family Court No.4, Pune at Pune stands confirmed by mutual consent as marriage has been irretrievably broken down.

(ii) The finding recorded by the Family Court in respect of grounds under Section 13(1) (i-a) and (i-b) of Hindu Marriage Act, 1955 is rendered ineffective.

(iii) The respondent (Chandrashekhar Subhash Daithankar), for a period of three years, shall pay alimony to the appellant-wife at the rate of Rs.2,000/- per month and the maintenance to the child-Mrunmayi at the rate of Rs.1500/- per month from the date of the judgment and decree dated 2nd February, 2006. The maintenance awarded under Section 125 of Code of Criminal Procedure shall cease to operate from 2nd February, 2006.

(iv) The arrears upto 31st May, 2006 shall be paid by the respondent to the appellant within two months from today.

(v) The alimony to the appellant and the maintenance to the child for the month of June, 2006 at the rate indicated above, if not paid until date, shall be paid by the respondent to the wife within one week from today.

(vi) For the month of July, 2006 and succeeding English calendar months, the amount of alimony and maintenance shall

be paid by the respondent to the appellant on or before 10th of each English calendar month.

(vii) The parties shall be at liberty to apply for variation/modification of the order of alimony and maintenance in the month of February, 2009, or thereafter if they are so advised.

(viii) The appellant shall provide access of the child-Mrunmayi to the respondent on second Thursday as directed in the impugned judgment and decree dated 2nd February, 2006 in between 3 p.m. to 5 p.m. in the Child Care Centre, Family Court, Pune. Any application for change in timings for access or the day of access can be made by the parties to the concerned Family Court.

. No costs.

. Certified copy expedited.

(R.M. LODHA,J.)

(A.S. BAGGA,J.)